

JENNIFER HUDSON
Office of the Montana State Auditor
Commissioner of Securities and Insurance
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Attorney for the CSI

**BEFORE THE COMMISSIONER OF SECURITIES AND INSURANCE
MONTANA STATE AUDITOR**

IN THE MATTER OF)	CASE NO. INS-2016-109
)	
LAURA NOLLMEYER,)	CONSENT AGREEMENT AND
)	FINAL ORDER
Respondent.)	
)	

This Consent Agreement (Agreement) is entered into by the Office of the Montana State Auditor, Commissioner of Securities and Insurance (CSI), acting pursuant to the authority of the Montana Insurance Code, Mont. Code Ann. § 33-1-101 et seq. (Code), and Laura Nollmeyer. The Final Order (Order) is issued by the authority of the Commissioner of Securities and Insurance, Office of the Montana State Auditor (Commissioner).

RECITALS

WHEREAS, the CSI alleges that on September 12, 2015, Respondent knowingly violated § 33-1-1202(1) by providing false information regarding a theft from her vehicle in support of a homeowner's insurance claim to Farmer's Mutual Insurance Company;

WHEREAS, based on the information provided by Respondent, Farmers submitted a payment in the amount of \$1,316.31 to the policyholder; and

WHEREAS, the CSI and Respondent agree that the best interests of the public would be served by entering into this Agreement.

NOW, THEREFORE, in consideration of the mutual undertakings contained in this Agreement, the CSI and Respondent agree to settle this matter pursuant to the following terms and conditions:

STIPULATIONS AND CONSENTS

- I. Respondent stipulates and consents to the following.
 - A. Respondent admits the allegations set forth in the Recitals.
 - B. Respondent shall pay restitution to Farmers Mutual Insurance Company in the amount of \$1,316.31.
 - C. Respondent shall pay an administrative penalty to the State of Montana in the amount of \$1,000.00. Payments shall be made in monthly installments of at least \$100.00 until the total is paid in full. Payments are due on the tenth day of the first full month following full repayment of restitution, and the tenth day of each following month. Payments shall be sent to:

Office of the Montana State Auditor
c/o Lisa Monroe
840 Helena Avenue
Helena, MT 59601
 - D. Respondent agrees to comply with the provisions of the Code
 - E. Respondent fully and forever releases and discharges the Commissioner of Securities and Insurance, Montana State Auditor (Commissioner), the CSI, and all of the CSI's employees and agents from any and all actions, claims, causes of action, demands, or expenses for damages or injuries, whether asserted or unasserted, known or unknown, foreseen or unforeseen, arising out of this Agreement.

F. Respondent specifically and affirmatively waives her right to a contested case hearing and all rights to appeal under the Montana Administrative Procedure Act, Mont. Code Ann. § 2-4-101 et seq., and elects to resolve this matter with this Agreement.

G. Respondent acknowledges that she was advised of the right to be represented by legal counsel and if represented by legal counsel, that such legal representation was satisfactory.

H. Respondent acknowledges that she enters into this Agreement voluntarily and without reservation

II. All parties to this Agreement stipulate and consent as follows:

A. The Commissioner and the CSI have jurisdiction over the subject matter of this matter

B. This Agreement is entered without adjudication of any issue, law, or fact. This Agreement covers the factual allegations addressed above. It is entered into solely for the purpose of resolving the CSI's allegations and is not intended to be used for any other purpose. For any person or entity not a party to this Agreement, this Agreement does not limit or create any private rights or remedies against Respondent, limit or create liability of Respondent, or limit or create defenses of Respondent to any claims;

C. The applicable statute of limitations is tolled for two years from the date of execution of this Agreement with regard to the allegations in the Recitals. In the event Respondent violates the terms of this Agreement at any time before the applicable statute of limitations has run, the CSI reserves the right to seek any additional administrative penalties or further regulatory action, as described above.

D. This Agreement constitutes the entire agreement between the parties and no other promises or agreements, either express or implied, have been made by the CSI or by any member, officer, agent, or representative of the CSI to induce Respondent to enter into this Agreement.

E. This Agreement may not be modified orally, and any subsequent modifications to this Agreement must be mutually agreed upon in writing, with the same formality as this Agreement, to be effective.

F. This Agreement shall be incorporated into and made a part of the attached Final Order issued by the Commissioner herein.

G. This Agreement shall be effective upon signing of the Final Order.

H. The Agreement is a public record under Montana law and, as such, may not be sealed or otherwise withheld from the public.

DATED this 9th day of May, 2016.

**OFFICE OF THE MONTANA STATE
AUDITOR, COMMISSIONER OF
SECURITIES AND INSURANCE**

By: Jennifer Hudson
JENNIFER HUDSON
Attorney for the CSI

DATED this 4 day of May, 2016.

Laura Nollmeyer
LAURA NOLLMAYER

FINAL ORDER

Pursuant to the authority vested by Mont. Code Ann. §§ 2-4-603 and 33-1-101 et seq.,
and upon review of the foregoing Consent Agreement, and good cause appearing,

IT IS HEREBY ORDERED that the foregoing Consent Agreement between the CSI and
Respondent Laura Nollmeyer is adopted as if set forth fully herein.

DATED this 4 day of May, 2016.

MONICA J. LINDEEN

Commissioner of Securities and Insurance,
Montana State Auditor

By: 

ANDREW POSEWITZ

Deputy State Auditor

cc: Jennifer Hudson
Attorney for CSI

Laura Nollmeyer